

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA

Reliance Leasing Inc., Reliance Aviation,
Reliance Rentals LLC, dba Avis Rent A
Car & Budget Rent A Car & Payless Rent
A Car,

Plaintiffs,

vs.

GMI Insurance, National Interstate
Insurance Company,

Defendants.

Court File No. _____

**NOTICE OF REMOVAL
OF CIVIL ACTION**

TO: THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT
OF NORTH DAKOTA:

Defendant GMI Insurance ("GMI"), through its undersigned counsel and pursuant to 28 U.S.C. §§ 1441 and 1446, respectfully submits this Notice of Removal of Civil Action from the Cass County District Court, East Central Judicial District of the State of North Dakota, in which Court this action is currently pending, to the United States District Court for the District of North Dakota. GMI hereby submits a short and plain statement of the grounds for removal as follows:

1. On or about September 17, 2018, Plaintiffs Reliance Leasing Inc., Reliance Aviation, Reliance Rentals LLC, dba Avis Rent A Car & Budget Rent A Car & Payless Rent A Car, sent by certified mail to GMI a copy of the Summons and Complaint in an action venued in Cass County District Court, East Central Judicial District of the State of North Dakota (hereinafter "the State Court Action"). A copy of this Summons and Complaint is attached as Exhibit A to the Affidavit of Thomas J. Evenson ("Evenson Aff").

2. This action is removable on the grounds of diversity of citizenship between the Plaintiffs and the Defendants and because the amount in controversy exceeds \$75,000, exclusive of interest and costs, pursuant to 28 U.S.C. § 1332. Upon information and belief, Plaintiffs Reliance Leasing Inc., Reliance Aviation, Reliance Rentals LLC, dba Avis Rent A Car & Budget Rent A Car & Payless Rent A Car are North Dakota corporations headquartered in Fargo, North Dakota. According to the Complaint, Plaintiffs Reliance Leasing Inc., Reliance Aviation, Reliance Rentals LLC, dba Avis Rent A Car & Budget Rent A Car & Payless Rent A Car rent automobiles to customers and conduct business in the State of North Dakota. (Compl. ¶ 10.) Defendant GMI Insurance is a Pennsylvania entity with its principal place of business also located in Pennsylvania. Defendant National Interstate Insurance Company is an Ohio corporation with its principal place of business located in Ohio.

3. GMI has filed an Answer to the Complaint, a copy of which is attached as Ex. B to the Evenson Aff.

4. This Notice of Removal is filed within thirty days after a copy of the Summons and Complaint in the State Court Action was sent by certified mail to GMI. Therefore, this Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b).

5. A copy of the written notice required by 28 U.S.C. § 1446(d), addressed to the other parties and to the Clerk of the District Court for Cass County is attached as Exhibit C to the Evenson Aff. The same will be filed in the State Court Action and served upon Plaintiffs upon the filing of this Notice of Removal.

WHEREFFORE, GMI respectfully requests that this case be removed from the Cass County District Court, East Central Judicial District of the State of North Dakota to the United States District Court for the District of North Dakota.

Dated: October 10, 2018.

Lind, Jensen, Sullivan & Peterson,
A Professional Association

s\Thomas J. Evenson

Brian A. Wood #141690
Thomas J. Evenson #05917
1300 AT&T Tower
901 Marquette Avenue South
Minneapolis, MN 55402
(612) 333-3637
brian.wood@lindjensen.com
thomas.evenson@lindjensen.com

Attorneys for Defendant GMI Insurance

Sue Dimberio